

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA
Plaintiff

v.

Criminal No. 08-0061-01 (ADC)

LUIS PEREZ-VILLAFAÑE
Defendant

ORDER ADOPTING REPORT AND RECOMMENDATION

Before the Court is an unopposed Report and Recommendation issued by Justo Arenas, Chief U.S. Magistrate Judge on July 14, 2008. (Docket No. 45). In said Report and Recommendation the Chief Magistrate-Judge recommends that: defendant **Luis Pérez-Villafañe** be adjudged guilty of the offenses charged in Count Two (2) (46 U.S.C. §§ 70502(b), 70503(a)(1), 70504(b)(1) and 18 U.S.C. § 2.) inasmuch as, his plea of guilty was intelligently, knowingly and voluntarily entered.

Neither party has filed objections to the Magistrate-Judge's Report and Recommendation within the time frame provided by the Federal Rules of Criminal Procedure and this Court's Local Rules. See Fed. R. Crim. P. 11; 28 U.S.C. § 636(b)(1)(B); D.P.R. Local Crim. R. 147(b).

After reviewing the record, the Court agrees with the arguments, factual and legal conclusions within the Report and Recommendation. Therefore, the Court hereby **APPROVES** and **ADOPTS** the Magistrate-Judge's Report and Recommendation in its entirety.

Accordingly, a judgment of conviction is to be entered as to Count Two (2) of the indictment in the above-captioned case.

The sentencing hearing is set for October 31, 2008 at 3:00 p.m.

IT IS SO ORDERED.

At San Juan, Puerto Rico, this 4th day of August, 2008.

S/AIDA M. DELGADO-COLON
United States District Judge